

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Gregory Horne,

Petitioner,

v.

Warden, FCI Milan,

Respondent.

Case No. 2:23-cv-2647


Judge Michael H. Watson

Magistrate Judge Vascura

ORDER

On October 16, 2023, Magistrate Judge Vascura issued a Report and Recommendation (“R&R”) recommending the Court dismiss Petitioner’s petition for habeas corpus due to Petitioner’s failure to prosecute. The R&R notified Petitioner of his right to object to that recommendation, but Petitioner has failed to file timely objections. Accordingly, the Court **ADOPTS** the R&R and **DISMISSES WITHOUT PREJUDICE** Petitioner’s habeas corpus petition, pursuant to Federal Rule of Civil Procedure 41(b). Further, the Court finds that reasonable jurists would not debate Petitioner’s failure to prosecute, and any appeal of this Order would not be taken in good faith. Thus, the Court **DENIES** a certificate of appealability and **DENIES** leave to proceed *in forma pauperis* on appeal. The Clerk shall terminate this case.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT